

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

ORDER

14-cr-3-wmc-1

BRENT VENGLISH,

Defendant.

A hearing on the probation office's petition for judicial review of Brent Venglish's supervised release was held on December 9, 2014, before U.S. District Judge William M. Conley. The government appeared by Assistant U.S. Attorney Peter Jarosz. The defendant was present in person and by counsel, Associate Federal Defender Peter Moyers. Also present was Senior U.S. Probation Officer Kristin E. Kiel.

FACTS

From the record and the parties' stipulation, I make the following findings of fact. The defendant was sentenced in the Western District of Wisconsin on May 20, 2014, following his conviction for distribution of morphine in violation of 21 U.S.C. § 841, a Class C felony. He was sentenced to time served to be followed by a three-year term of supervised release.

The defendant began his term of supervised release on May 20, 2014. He violated a fundamental condition not to commit another federal, state or local crime by posting threats on Facebook. His posts also dangerously outed three people for allegedly cooperating with police.

The defendant violated Special Condition No. 7 requiring him to participate in mental health treatment when he failed to show up for mental health counseling and failed to return voice messages left for him by his mental health counselor, although the defendant has recently been compliant with mental health treatment.

To the defendant's credit, he has tested negative for the presence of controlled substances, his lack of transportation may have contributed to his missing appointments and his adjustment to supervision has improved recently.

The defendant's conduct falls into the category of a Grade C violation. In addressing such violations, the Court has the discretion to revoke supervised release, extend it, or modify the conditions of release.

CONCLUSIONS

It appears that the defendant understands the severity of his violations and the consequences of his behavior. The defendant will be put on notice that any additional violations will be reported to the Court, and that any future violations could result in revocation of his supervised release.

ORDER

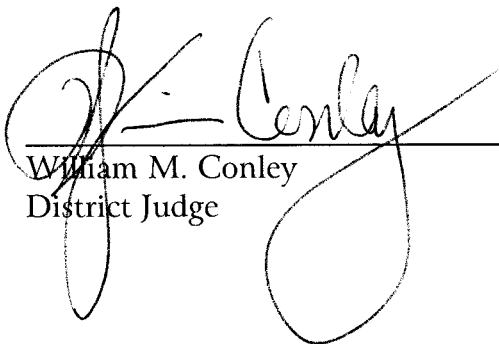
IT IS ORDERED that:

- (1) the defendant's term of supervised release continue;
- (2) the defendant must complete the Positive Attitude Development program as a part of his mental health treatment;

(3) the defendant must comply with his conditions of supervision; and
(4) any future noncompliance could result in revocation of his term of supervised release.

Entered this 9th day of December 2014.

BY THE COURT:



William M. Conley
District Judge